

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

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APPLICATION FOR AGENT CHANGE - ACQUISITION OF CONTROL - RESTRUCTURE

Check
Appropriate
Box



Agent Change

Complete Sections 1,2,3,4,6
(See Note 1 on back)



Acquisition of Control

Complete Sections 1,2, (3,4 if changing Agent), 6



Restructure

Complete Sections 1,2,(3,4 if changing Agent) ,5,6
(See Note 2 on back)

SECTION 1 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

1. Name (INDIVIDUAL OR EXISTING AGENT (if no agent change) OR NEW AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER)

Last

First

Middle

Liquor License #

2. ☐ Corporation ☐ L.L.C. ☐ N/A: _____ Corp. File #: _____
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: _____
(Exactly as it appears on license)

4. Business Address: _____
(Do not use P.O. Box Number) City COUNTY Zip

5. Is the business located within the incorporated limits of the above city or town? ☐ Yes ☐ No

6. Mailing Address: _____
City State Zip

7. Business Phone: (____) _____ Residence Phone: (____) _____

8. Does this transaction involve the sale of any portion of the corporate stock? ☐ YES ☐ NO ☐ N/A If yes, submit a certified copy of minutes.

9. Has there been any change of officers? ☐ YES ☐ NO ☐ N/A If yes, submit a certified copy of minutes.

SECTION 2 (COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)

Each person listed in Section II must submit a personal questionnaire (Form LIC0101) and a Department approved fingerprint card which may be obtained at the Dept. A person appearing in both lists need only submit one questionnaire and fingerprint card.

1. List individual owner or partners or all directors, officers in corp., members in LLC:

Last	First	Middle	Title	Residence Address	City	State	Zip

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

2. List stockholders or controlling members owning 10% or more of Corp/LLC:

Last	First	Middle	% Owned	Residence Address	City	State	Zip

(ATTACH ADDITIONAL SHEET(S) IF NECESSARY)

SECTION 3**(COMPLETE THIS SECTION FOR AGENT CHANGE)**

1. If the corporation/L.L.C. is owned by another entity, **ATTACH AN OWNERSHIP AND DIRECTOR / OFFICER / MEMBER DISCLOSURE** for the parent entity. Attach additional sheets as necessary in order to disclose real people.

As an Agent, will you be physically present and operating the licensed premises? ☐ YES ☐ NO

If you answered YES, you must provide proof of attendance of a Department approved Liquor Law Training Course within the last five years before your application for Agent can be submitted. If "no" a manager with approved training must be submitted.

SECTION 4**(COMPLETE THIS SECTION FOR AGENT CHANGE)**

To be completed by the **INDIVIDUAL OR EXISTING AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER:**

1. License Number: _____ Date of last renewal: _____

2. Current Licensee or Agent: _____
 (Exactly as it appears on license) Last First Middle

I, _____, hereby consent to the agent appointment named herein and
 (Print full name)
 agree to immediately assign a new agent in the event of the death, resignation, or discharge of this agent. I also understand that if the background report shows that I, the corporation, or any officer, director, member, or stockholder have been convicted of a felony in the past five (5) years, I will immediately surrender the license to the Arizona Department of Liquor Licenses and Control and hereby waive all rights to appeal such action.

State of _____ County of _____
 X _____ The foregoing instrument was acknowledged before me this
 (Signature of INDIVIDUAL/ CORPORATE/CLUB OFFICER/MEMBER)
 _____ day of _____, _____
 Day Month Year

My commission expires on: _____
 (Signature of NOTARY PUBLIC)

SECTION 5**(COMPLETE THIS SECTION FOR RESTRUCTURE)**

Is there more than one licensed premises involved? ☐ YES ☐ NO If yes, **SEPARATE APPLICATIONS** must be filed and fees paid for each license/location.

Type of current ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ TRUST
☐ OTHER Explain _____

Type of new ownership:

- ☐ J.T.W.R.O.S.
☐ INDIVIDUAL
☐ PARTNERSHIP
☐ CORPORATION
☐ LIMITED LIABILITY CO.
☐ TRUST
☐ OTHER Explain _____

SECTION 6**(COMPLETE THIS SECTION FOR AGENT CHANGE, ACQUISITION OF CONTROL OR RESTRUCTURE)**

To be completed by **INDIVIDUAL OR EXISTING AGENT (if no agent change) OR NEW AGENT OR CORPORATE OFFICER OR L.L.C. CONTROLLING MEMBER** as listed in Question 1 Section 1:

I, _____, hereby declare that I am the APPLICANT filing this application.
 (Print full name)

have read the application and the contents and all statements are true, correct and complete.

State of _____ County of _____
 X _____ The foregoing instrument was acknowledged before me this
 (Signature of INDIVIDUAL OR AGENT)
 _____ day of _____, _____
 Day Month Year

My commission expires on: _____
 (Signature of NOTARY PUBLIC)

NOTE 1: The fee for an agent change MUST be submitted with this application: \$100.00 for the first application and \$50.00 for each additional application, not to exceed \$1,000.00. (A.R.S. 4-209.H)

NOTE 2: The \$100.00 fee for restructure MUST be submitted with this application (A.R.S. 4-209.A)

ARIZONA REVISED STATUTES

4-203.F ACQUISITION OF CONTROL

If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the Director within fifteen business days after such acquisition of control and a list of officers, directors or other controlling persons on a form prescribed by the Director. All officers, directors or other controlling persons shall meet the qualifications for licensure as prescribed by this title. On request, the director shall conduct a preinvestigation prior to the assignment, sale or transfer of control of a license or licensee, the reasonable costs of which, not to exceed one thousand dollars, shall be borne by the applicant. The preinvestigation shall determine whether the qualifications for licensure as prescribed by this title are met. On receipt of notice of an acquisition of control or request of a preinvestigation, the Director shall forward the notice within fifteen days to the local governing body of the city or town, if the licensed premises is in an incorporated area, or the county, if the licensed premises is in an unincorporated area. The Local Governing Body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. If the Director does not receive any protests, the Director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control. Any protest shall be set for a hearing before the Board. Any transfer shall be approved or disapproved within one hundred five days of the filing of the notice of acquisition and control. The person who has acquired control of a license or licensee has the burden of an original application at the hearing, and the board shall make its determination pursuant to section 4-202 and this section with respect to capability, reliability and qualification.

4-203.H RESTRUCTURING

A restructuring of a licensee's business is an acquisition of control pursuant to subsection F of this section and is a transfer of a spirituous liquor license and not the issuance of a new spirituous liquor license if both of the following apply:

1. All of the controlling persons of the licensee and the new business entity are identical.
2. There is no change in control or beneficial ownership.

4-203.I

If subsection H of this section applies, the licensee's history of violations of this title is the history of the new business entity. The Director may prescribe a form and shall require the applicant to provide the necessary information to ensure compliance with this subsection and subsections F and G of this section.

4-202.A AGENT

...A person shall hold a club license, corporation license, limited liability company license, partnership license or out-of-state license through an agent who shall be a natural person and meet the qualifications for licensure. ... For purposes of this subsection, "agent" means a person designated by an applicant or licensee to receive communications from the department and to file documents and sign documents for filing with the department on behalf of the applicant or licensee.

4-209.A FEES; TRANSFER (RESTRUCTURE)

...An application fee for an original license or the transfer of a license shall be one hundred dollars, which shall be retained by this state.

4-209.H FEES; CHANGE OF AGENT

Assignment fees for a change of agent, as provided for in section 4-202, subsection C, shall be one hundred dollars, except that where a licensee holds multiple licenses the assignment fee for the first license shall be one hundred dollars and the assignment fee for all remaining licenses transferred to the same agent shall be fifty dollars each, except the aggregate assignment fees shall in no event exceed one thousand dollars.